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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 PARAMJIT SINGH BASRA,

9 Petitioner,

10 v.

11 STEPHEN SINCLAIR,

12 Respondent.

CASE NO. C18-186 TSZ-BAT

**ORDER SUBSTITUTING
RESPONDENT AND DIRECTING
SERVICE AND ANSWER TO § 2254
PETITION**

13 The Court has reviewed the petition for writ of habeas corpus filed in this case and

14 **ORDERS:**

15 **RESPONDENT**

16 (1) **Stephen Sinclair**, Secretary of the Washington State Department of Corrections,
17 is substituted as the sole respondent in this matter.¹ See Rules Governing Section 2254
18 Proceedings, 1976 advisory committee's note to Rule 2(a); *see also Ortiz-Sandoval v. Gomez*, 81
19 F.3d 891, 894–96 (9th Cir. 1996) (holding that the Director of Corrections of California is also
20 proper respondent because he has power to produce a California prisoner).

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22 ¹ When petitioner filed his *pro se* habeas petition, he named as respondents the King County
23 Regional Justice Center and Clallam Bay Corrections because he was temporarily transferred to
King County RJC from his regular place of incarceration at Clallam Bay. Dkt. 1. On docketing
the habeas petition, however, the Clerk of Court noted that petitioner had since been transferred
to Washington Corrections Center. Dkt. 1-2.

1 **SERVICE**

2 (1) By certified mail, the Clerk shall serve respondent and the Attorney General of
3 the State of Washington copies of petitioner's habeas petition and any supporting pleadings or
4 documents.

5 **ANSWER OR OTHER RESPONSE**

6 (1) Within **45 days** of being served, respondent shall file and serve either an answer
7 or other response such as a dispositive motion or a motion to stay proceedings. An answer must
8 conform with Rule 5 of the Rules Governing Section 2254 Cases, and also indicate whether an
9 evidentiary hearing is necessary.

10 (2) Respondent must note the answer or other response for the court's consideration
11 on the fourth Friday after filing. Petitioner's response to the answer or other response must be
12 filed and served no later than the Monday immediately before the Friday designated for
13 consideration of the matter. Respondent's reply must be filed no later than the Friday designated
14 for consideration of the matter. Counsel shall deliver to the Clerk's Office a paper copy of any
15 electronically filed document that is more than 50 pages in length. The paper copy should be
16 clearly marked "Courtesy Chambers Copy."

17 **MOTIONS**

18 (1) Any request for court action must be made in a written motion that is properly
19 filed, served, and noted in accordance with Local Rule CR 7. All arguments supporting a motion
20 must be in the motion itself and not in a separate document. The caption of the motion must
21 designate the date the motion is to be noted for the court's consideration.

1 (2) The parties may not communicate directly with the District Judge or Magistrate
2 Judge regarding this case. All relevant inquiries, information and papers are to be directed to the
3 Clerk.

4 (3) The Clerk is directed to send a copy of this Order to the parties and to
5 the Honorable Thomas S. Zilly.

6 DATED this 8th day of February, 2018.

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BRIAN A. TSUCHIDA
United States Magistrate Judge